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## REMARKS

Claims 1-20 are pending.

Claims 1, 3-9, 11-13 and 15 were rejected under 35 USC 102(b) as being anticipated by Barber. This rejection is respectfully traversed.

Claim 1 recites, in part, "an extractor for extracting an image of a predetermined region from said image data registered in said image database; a retrieval key image designator for designating said extracted image as an image serving as a retrieval key." Applicants submit that the disclosure of Barber is limited to systems in which thumbnails are preset icons and are not extracted from an image in an image database and that, as a result, the features described above cannot be present in the cited reference.

The Examiner stated that "As shown in FIG. 5, category container 94 contains a plurality of thumbnails of predetermined regions extracted from a specific location of the image database (Col. 9, Lines 10-12.)" Applicants submit that the category container of FIG. 5 does not show a retrieval key extracted from a predetermined region of an image. FIG. 5 merely shows schematic representations of certain categories such as "fur" and "water" as well as textual labels. There is no indication in Barber that these representations are extracted from any image in a database or from any other image source. To the extent that the wavy lines shown in the box over the word "fur" represent fur, there is no indication of the source of this representation. Applicants further submit that the cited portion of the reference (col. 9, lines 10-12) also fails to disclose a retrieval key extracted from a predetermined region of an image. The cited portion recites that "The category characteristic is an arbitrary textual tab which can be appended to an image or an image mask." Applicants assert that an "arbitrary textual tab" is not and can never be a retrieval key extracted from a predetermined region of an image because it is not extracted from an image. The description of the tab in the specification of Barber as "arbitrary" further emphasizes the fact that is not extracted in any way from any image it may reference.

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The Examiner further stated that "As seen, a thumbnail of container 94 in FIG. 5 represents a predetermined region from the image data stored in an image database by the process of FIG. 2." Applicants assert that there is no disclosure in Barber that a thumbnail shown in FIG. 5 is the result of "extracting an image of a predetermined region from said image data registered in said image database." Applicants recognize that Barber discloses the use of a mask to define and later characterize a portion of an image (see col. 5, line 63 – col. 6, line 1). However, Barber does not disclose that the masked portion of the image is extracted to serve as a retrieval key. Barber discloses only that "the image, or the individual mask to which it is decomposed can be assigned a text/keyword category." (Col. 6, lines 17-19.) Thus, Applicants respectfully assert that Barber does not disclose the claimed features of "an extractor for extracting an image of a predetermined region from said image data registered in said image database" and "a retrieval key image designator for designating said extracted image as an image serving as a retrieval key." Applicants therefore request that the rejection of claim 1 be withdrawn.

Applicants respectfully assert that claims 7, 8, 11, 12, and 15 include features similar to those discussed above and are patentable for at least the same reasons as claim 1.

Claims 16-17 and 20 were rejected under 35 USC 103(a) as being unpatentable over Barber. This rejection is respectfully traversed.

Claim 16 recites "a table for having recorded therein said information and an image serving as a retrieval key, correlated with each other." Applicants submit that the disclosure of Barber is limited to tabularizing characteristics associated images and that it does not teach storing an image serving as a retrieval key in a table.

The Examiner stated that "The decomposed elements of the image 40 are digitized and tabularized in order to construct the data representation 42 (Col. 5, Lines 57-64). The data representation 42 may be organized as a tabularized file for image whose columns corresponds to image characteristics (Col. 6, Lines 24-28.)" Applicants assert that Barber does not disclose

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recording an image that serves as a retrieval key in the table. Furthermore, Applicants note that the Examiner has not identified any portion of Barber or any other teaching that discloses an image, recorded in a table, serving as a retrieval key. Applicants respectfully submit that the Examiner has not established a *prima facie* case that this claimed feature is taught by Barber.

The portions of the specification referenced in the Office Action refer to the illustration of FIG. 2. While Applicants note that the Barber discloses the use to a table to store image characteristics, Applicants assert that Barber does not disclose the recording of an image serving as a retrieval key in the table. Barber only discloses that the table can be "organized conventionally as a tabularized file for image n whose rows correspond to the masks into which the image is decomposed and whose columns corresponds to image characteristics." (Col. 6, lines 24-28.) None of the elements stored in the table shown in FIG. 2 include "an image serving as a retrieval key."

While Applicants recognize that FIG. 2 discloses the storing of an image mask in a table along with characteristics of that mask, Applicants assert that Barber does not disclose that either the mask or any other part of the image serve as a retrieval key. In fact, there is no disclosure in Barber to suggest that the mask is anything more than the Cartesian coordinates of a portion of the image. Barber does not disclose incorporating any portion of an image into a table.

Even if the "IMAGE n" and "MASK 1" elements of FIG. 2 suggest the storage of an actual image in the table, Barber does not disclose the use of that image as a retrieval key. As discussed above, Barber only discloses using schematic representations and text labels as thumbnails. Applicants respectfully assert that neither the thumbnails nor any other disclosure in Barber teaches the use of a stored image serving as retrieval key. Thus, Applicants respectfully assert that Barber does not disclose "a table for having recorded therein said information and an image serving as a retrieval key, correlated with each other." Applicants therefore request that the rejection of claim 16 be withdrawn.

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Applicants respectfully assert that claim 20 includes features similar to those discussed above and is patentable for at least the same reasons as claim 16.

The Applicants respectfully submit that they have shown the patentability of at least the independent claims and that, accordingly, all dependent claims are themselves patentable insofar as they depend from patentably distinct independent claims.

Dependent claims 2, 10, 14 and 18-19 were rejected under 35 USC 103(a) as being unpatentable over Barber in view of Abdel-Mottaleb. This rejection is respectfully traversed for at least the reasons given above.

In light of the above, early allowance of claims 1-20 is solicited.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 24540-2004000.

Dated: October 20, 2004                    Respectfully submitted,

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